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Application No. 10/572,994

XII) It is further requested that, in light of the above, the filing requirement be considered complete and the application proceed to examination.

XIII) Please charge the amount of \$1590.00 required for the request for extension of time to our Deposit Account No. 09-0525. Further, please charge the petition fee under 37 CFR 1.17(g) of \$200.00 to our Deposit Account No. 09-0525. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 09-0525. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time.

XIV) If there are any questions concerning any of the above, please feel free to contact the undersigned.

Correspondence Client Number: 01726 (513) 248-6736 (phone) (513) 248-6445 (fax)	Respectfully Submitted, 	
	Thomas W. Barnes III, Ph.D.	
	Registration No.	52,595
	(Empty space for additional information)	

12/14/2006 SBASHEIR 00000005 090525 10572994

01 FC:1254	1590.00 DA
02 FC:1463	200.00 DA
03 FC:1617	130.00 DA

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REMARKS

The outstanding Notice Dated May 10, 2006, requires the following in order to satisfy all of the requirements under 35 U.S.C. 371:

- 1) Additional Claim fees of \$1410;
- 2) Oath or declaration of the inventors; and
- 3) A surcharge for the late filing of an oath.

Regarding 1) and 3), Applicants authorize the Office to Charge the \$1410.00 in additional claim fees to our Deposit Account No. 09-0525. Still further, Applicants authorize the Office to charge the \$130.00 for the surcharge for a late submission of the filing fee search fee examination fee, of oath or declaration to our Deposit Account No. 09-0525. Accordingly, Applicants respectfully submit that requirements 1) and 3) are now satisfied; and, respectfully request the Office to indicate the same.

Regarding 2) the Oath or declaration of the inventors, Applicants respectfully submit the attached Exhibit A which is a properly executed Declaration containing the signature of Lloyd A. Nelson and the last known contact information of Nancy D. Mosby (which is derived from Exhibit B below). Unfortunately, in order to satisfy all of requirements related to the oath, Applicants must timely file a Petition herewith under 37 C.F.R. 1.47(a) for filing when inventors refuse to sign or can not be found. In the present application, the inventor known as Nancy D. Mosby has refused to sign and participate in the prosecution of the present application. Accordingly, a petition under 37 C.F.R. 1.47(a) follows.